

REMARKS

This responds to the Office Action mailed on September 12, 2007.

Claims 1 and 15 are amended, claims 8-10 and 22-25 are canceled, and no claims are added; as a result, claims 1-7, and 11-21 remain pending in this application. Support for the amendments may be found throughout the specification, and in particular on at least pages 6-7 and 16. Applicant believes that no new matter has been introduced with the amendments.

§103 Rejection of the Claims

Claims 1-25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gatto et al. (U.S. 6,916,247; hereinafter "Gatto") in view of Ellis et al. (U.S. Publication No. 2004/0015608 A1; hereinafter "Ellis"). The determination of obviousness under 35 U.S.C. § 103 is a legal conclusion based on factual evidence. *See Princeton Biochemicals, Inc. v. Beckman Coulter, Inc.*, 411 F.3d 1332, 1336-37 (Fed.Cir. 2005). The legal conclusion that a claim is obvious within § 103(a) depends on at least four underlying factual issues set forth in *Graham v. John Deere Co. of Kansas City*, 383 U.S. 1, 17, 86 S.Ct. 684, 15 L.Ed.2d 545 (1966). The underlying factual issues set forth in *Graham* are as follows: (1) the scope and content of the prior art; (2) differences between the prior art and the claims at issue; (3) the level of ordinary skill in the pertinent art; and (4) evaluation of any relevant secondary considerations.

The Examiner has the burden under 35 U.S.C. § 103 to establish a *prima facie* case of obviousness. *In re Fine*, 837 F.2d 1071, 1074, 5 USPQ2d 1596, 1598 (Fed. Cir.1988). To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested, by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974) ; M.P.E.P. § 2143.03. "All words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970) ; M.P.E.P. § 2143.03. As part of establishing a *prima facie* case of obviousness, the Examiner's analysis must show that some objective teaching in the prior art or that knowledge generally available to one of ordinary skill in the art would lead an individual to combine the relevant teaching of the references. *Id.* To facilitate review, this analysis should be made explicit. *KSR Int'l v. Teleflex Inc., et al.*, 127 S.Ct. 1727; 167 L.Ed 2d 705; 82 USPQ2d 1385 (2007) (citing *In re Kahn*, 441 F. 3d 977, 988 (Fed. Cir. 2006)).

For example, claim 1 as amended recites “sending service information for the name service from the name service to a discovery agent on the gaming network.” Claim 15 recites similar elements regarding a name service sending service information to a discovery agent. Applicant has reviewed Gatto and Ellis, and can find no disclosure of a service sending service information about an accounting service to a discovery agent on a gaming network.

Further, claim 1 recites “determining by the discovery agent if the name service is authentic and authorized.” Claim 15 recites similar language with respect to a discovery agent authenticating and authorizing an accounting service. Applicant has reviewed Gatto and Ellis and can find no teaching or suggestion of authenticating and authorizing a service such as a name service. Further, there is no disclosure in Gatto or Ellis of a discovery agent that authenticates and authorizes an accounting service for a gaming network.

In view of the above, claims 1 and 15 recite elements that are not disclosed in Gatto or Ellis, either alone or in combination. Therefore claims 1 and 15 provide differences over the combination, and are not obvious in view of the combination of Gatto and Ellis. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 1 and 15.

Claims 2-7 and 11-14 depend from claim 1 and claims 16-21 depend from claim 15. These dependent claims inherit the elements of their respective base claims 1 and 15 and are not obvious in view of the combination of Gatto and Ellis for at least the reasons discussed above regarding their respective base claims. Applicant respectfully requests reconsideration and the withdrawal of the rejection of claims 2-13 and 15-26.

Claims 8-10 and 22-25 have been canceled without prejudice or disclaimer in this response, therefore the rejection of these claims is believed moot.

Reservation of Rights

In the interest of clarity and brevity, Applicant may not have equally addressed every assertion made in the Office Action, however, this does not constitute any admission or acquiescence. Applicant reserves all rights not exercised in connection with this response, such as the right to challenge or rebut any tacit or explicit characterization of any reference or of any of the present claims, the right to challenge or rebut any asserted factual or legal basis of any of the rejections, the right to swear behind any cited reference such as provided under 37 C.F.R. §

1.131 or otherwise, or the right to assert co-ownership of any cited reference. Applicant does not admit that any of the cited references or any other references of record are relevant to the present claims, or that they constitute prior art. To the extent that any rejection or assertion is based upon the Examiner's personal knowledge, rather than any objective evidence of record as manifested by a cited prior art reference, Applicant timely objects to such reliance on Official Notice, and reserves all rights to request that the Examiner provide a reference or affidavit in support of such assertion, as required by MPEP § 2144.03. Applicant reserves all rights to pursue any cancelled claims in a subsequent patent application claiming the benefit of priority of the present patent application, and to request rejoinder of any withdrawn claim, as required by MPEP § 821.04.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6954 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date March 12, 2008

By [Signature]

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 12 day of March 2008.

John D. Gustafson-Wrapnell

Name

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